

REMARKS

The drawings were objected to because the details of Figures 2 and 5 are not indicated. The attention of the Examiner is directed to the fact that this application is a national stage proceeding of International Application No. PCT/IB2004/051705. As 37 CFR §1.437(c) states, "The physical requirements for drawings are set forth in PCT Rule 11 and shall be adhered to." PCT Rule 11.11, headed *Words in Drawings*, begins by requiring that "The drawings shall not contain text matter, except a single word or words, when absolutely indispensable...." In this instance the Examiner has suggested labeling element 12 in the drawings as "electrode" and element 200 as "defibrillator." However, these words are dispensable because page 5, line 12 of the specification already does this. Consequently, since applicant must be in compliance with PCT Rule 11 as required by USPTO rule 437(c), it is respectfully submitted that the drawings are presently in the required form.

The Examiner has provided the suggested guidelines for section headings in a specification. However, as the Examiner has recognized, section heading are only suggested but not required. Both 37 CFR 1.77 and the MPEP use the word "should" throughout, since headings are not mandatory. It is respectfully submitted that the application is allowable without section headings.

Claims 1-8, and 10-16 were rejected under 35 U.S.C. §102(b) as anticipated by or obvious under §103(a) in view of US Pat. 5,462,157 (Freeman et al.). Amended Claim 1 describes an enclosure for a defibrillator electrode which seals the electrode against moisture loss while the electrode remains in electrical communication with a defibrillator comprising an enclosure formed of flexible material which is adapted to be sealed against moisture loss; an interior connector located on

the interior of the enclosure and adapted to detachably connect to a defibrillator electrode; and an exterior connector located on the outside of the enclosure and adapted to detachably connect to a defibrillator, the exterior connector being in electrical communication with the interior connector. An embodiment of the present invention enables a sealed electrode enclosure to be preconnected to a defibrillator and disconnected and connected to a different defibrillator when needed because the exterior connector of the enclosure allows detachable connection. In addition, the package can be pre-fabricated and a selected electrode later sealed inside because the interior connector enables detachable connection of an electrode. Freeman et al. do not show or suggest such an arrangement because they have only a single connector, the electrode connector 24, 66, 116. The electrode and its connector 24 can be sealed completely inside the package 10 as shown in Freeman et al.'s Fig. 1. A second possibility is to seal the package around the electrode wires as shown in Fig. 3. In neither of these configurations can the electrode be preconnected to a defibrillator for testing because the electrode connector is sealed in the package and inaccessible. In the Fig. 5 embodiment the electrode can be preconnected because the package is sealed around the connector 116. However there is no interior connector in this configuration because the wires 62, 64 are permanently connected to the connector 116 at one end, and to terminals 26 and 28 at the other end as shown in Fig. 1. Accordingly there is no internal connector and no ability for the electrode to be detachably connected to a connector inside the enclosure as specified in amended Claim 1. For these reasons it is respectfully submitted that Claim 1 and its dependent Claims 2-13 are patentable over Freeman et al.

Dependent Claim 9 was rejected under 35 U.S.C. §103(a) by combining US Pat. 5,697,955 (Stolte) with Freeman et al.

However Stolte's electrode enclosure is the same a Freeman et al.'s Fig. 3 embodiment but without the outer envelope: the package is sealed around the electrode wires. This enables the electrode connector 58 to be preconnected to the defibrillator as shown in Fig. 3 of Stolte. Stolte's teaching suffers from the same deficiency as Freeman et al. There is no internal connector inside the enclosure and no ability for the electrode to be detachably connected to a connector inside the enclosure as specified in amended Claim 1. It is therefore respectfully submitted that Stolte adds nothing to Freeman et al. that would render any of the present claims unpatentable.

Amended Claim 14 describes a method for packaging a defibrillator electrode comprising providing a sealable flexible enclosure having an interior connector in the inside of the enclosure and an exterior connector on the outside of the enclosure, the interior and exterior connectors being in electrical communication with each other; disposing a defibrillator electrode in the interior of the enclosure, the electrode having an adapter in electrical communication with the interior connector; sealing the enclosure to retard moisture loss; and connecting the exterior connector to be in electrical communication with a defibrillator. As previously mentioned, both of the cited patents have electrodes with only a single connector. There is no electrode package shown or suggested which has interior and exterior electrode connectors. There is also no suggestion of an electrode inside the enclosure with an adapter in electrical communication with the interior connector as recited in amended Claim 14. For these reasons it is respectfully submitted that Claim 14 and its dependent Claims 15 and 16 are patentable over the two cited patents.

In view of the foregoing amendment and remarks it is respectfully submitted that the drawings are in compliance

with PCT Rule 11 and 37 CFR 1.437(c), no section headings are required in the specification, and that Claims 1-16 are patentable over any combination of Freeman et al. and Stolte. Accordingly it is respectfully requested that the objection to the drawings be withdrawn and that the rejection of Claims 1-8, 10-12 and 14-16 under 35 U.S.C. §102(b) and of Claims 1-16 under 35 U.S.C. §103(a) be withdrawn.

In light of the foregoing amendment and remarks, it is respectfully submitted that this application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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